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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

CIVIL DOCKET: 1:04-cv-10080-GAO

RALPH VOLLMAN,
Plaintiff,
v.
ROGER LYNN GRUBB and
ALLIED SYSTEMS, LTD.
Defendants.

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ANSWER AND AFFIRMATIVE
DEFENSES

PARTIES AND JURISDICTION

1. The defendants lack sufficient information upon which to form a belief, and therefore, leave the plaintiff to his proof.
 2. Paragraph 2 is admitted.
 3. Paragraph 3 is admitted.
 4. The defendants lack sufficient information upon which to form a belief, and therefore, leave the plaintiff to his proof.

COUNT I

5. The defendants reaffirm and reassert their answers to Paragraphs 1 through 3 and incorporate same by reference in their response to Paragraph 5 of Count I.
 6. The defendants lack sufficient information upon which to form a belief, and therefore, leave the plaintiff to his proof.
 7. Paragraph 7 is admitted.
 8. Paragraph 8 is denied.

9. The defendants deny all allegations of negligence and carelessness. With regard to the remaining allegations, the defendants lack sufficient information upon which to form a belief, and therefore, leave the plaintiff to his proof.

COUNT II

10. The defendants reaffirm and reassert their answers to Paragraphs 1 through 9 and incorporate same by reference in their response to Paragraph 10 of Count II.

11. Paragraph 11 is admitted.

12. Paragraph 12 is admitted.

13. Whereas the allegations of Paragraph 13 allege a legal conclusion, the defendants shall not assert a response thereto.

14. The defendants deny all allegations of negligence and carelessness. With regard to the remaining allegations, the defendants lack sufficient information upon which to form a belief, and therefore, leave the plaintiff to his proof.

AFFIRMATIVE DEFENSES

First Affirmative Defense

If the plaintiff sustained any injuries or damages as alleged in his Complaint, then any such injuries and damages were cause in whole or in part by the plaintiff's own negligence.

Date: May 11, 2004

Respectfully submitted,

By:



N. Kane Bennett of
HALLORAN & SAGE, LLP
One Goodwin Square
225 Asylum Street
Hartford, CT 06103
(860) 522-6103
BBO# 636731
Attorney for the Defendants

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record of each party on May 11, 2004.

Paul Nathan, Esq.
Nathan & Pasquina
159 Derby Street
Salem, MA 01970
(978) 745-4455
BBO#367420



N. Kane Bennett
HALLORAN & SAGE, LLP
BBO# 636731
Attorney for the Defendants